

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**ALICE BUCKHANAN**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:05CV438WA**

**R. JAMES NICHOLSON, Secretary,  
Department of Veteran Affairs**

**DEFENDANT**

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**ORDER**

This matter came before the court on a review of the docket, which indicates that the Plaintiff served the Defendant by certified mail on August 7, 2006. As of this date, no answer has been filed by the Defendant. His failure to answer is likely due to the fact that the Plaintiff has apparently not followed the correct procedure for serving process on employees of the United States Government, which is set out in Rule 4(i) of the Federal Rules of Civil Procedure. That procedure includes service on the United States Attorney, who would represent the Defendant and file his answer.

As a *pro se* litigant, the Plaintiff may not have been aware of this procedure; however, it must be followed for service to be effective. A copy of the Federal Rules of Civil Procedure is available in many libraries, or online at <http://judiciary.house.gov>, by clicking "Print Shop" on the left side of the home page, then "Procedural Documents" in the middle of the page. Although the Plaintiff has been given two previous extensions within which to complete service of process, in light of the technical requirements for serving the Government, the court is inclined to give her one more opportunity to effect service. This opportunity will be relatively brief, so the Plaintiff must take immediate steps to review Rule 4(i) and serve process in compliance with it.

IT IS, THEREFORE, ORDERED that the Plaintiff has until February 26, 2007, within which to effect service on the Defendant in accordance with Rule 4(i) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED, this the 25<sup>th</sup> day of January, 2007.

S/Linda R. Anderson

UNITED STATES MAGISTRATE JUDGE